

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE
2004 JUN 15 P 2:39

LORENZO GUARINO,
Plaintiff

V.

CIVIL NO. 04-10246

R.W. GRANGER & SONS, INC.,
Defendant

JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1(d)¹

Counsel for the parties in the above-entitled matter have conferred and propose a joint discovery plan as follows pursuant to L.R. 16.1:

1. All initial paper discovery (interrogatories, requests for production of documents and requests for admission) to be filed on or before August 1, 2004, and answered or responded to on or before September 30, 2004. The parties may serve follow-up discovery consistent with the applicable Federal and Local Rules.

¹ Pursuant to L.R. 16.1(d), "[U]nless otherwise ordered by the judge, the parties are required to file, no later than five (5) business days before the scheduling conference and after consideration of the topics contemplated by Fed.R.Civ.P 16(b)&(c) and 26(f), a joint statement containing a proposed pretrial schedule, which shall include:

- (1) a joint discovery plan scheduling the time and length for all discovery events, that shall
 - (a) conform to the obligation to limit discovery set forth in Fed.R.Civ.P.26(b), and
 - (b) take into account the desirability of conducting phased discovery in which the first phase is limited to developing information needed for a realistic assessment of the case and, if the case does not terminate, the second phase is directed at information needed to prepare for trial; and
- (2) a proposed schedule for the filing of motions; and
- (3) certifications signed by counsel and by an authorized representative of each party affirming that each party and that party's counsel have conferred:
 - (a) with a view to establishing a budget for the costs of conducting the full course- and various alternative courses-of the litigation; and
 - (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outline in LR 16.4.

2. The parties agree to be bound by the discovery event limitations set forth in L.R.26.1(c)².
3. All depositions, excluding those of medical witnesses and experts, shall be completed on or before December 31, 2004
4. Plaintiff shall designate its experts and file its experts' reports by November 15, 2004.
5. Defendant shall designate its experts and file its experts' reports by December 15, 2004.
6. All depositions of medical witnesses and experts shall be completed on or before January 5, 2005.
7. All Motions to Amend the pleadings to add parties, assert new claims or defenses, shall be filed by January 15, 2005.
8. Dispositive motions, including motions for summary judgment, shall be filed on or before April 30, 2005.
9. Response to any Motion for Summary Judgment shall be filed on or before May 14, 2004
10. Pretrial Conference shall be scheduled by the Court pursuant to L.R. 16.1.(f)(9).³

² The parties acknowledge that pursuant to L.R.26.1(c): "[U]nless the judicial officer orders otherwise, the number of discovery events shall be limited for each side (or group of parties with a common interest) to ten (10) depositions, twenty-five (25) interrogatories, twenty-five (25) requests for admissions, and two (2) separate sets of requests for production.

³ L.R. 16.1(f)(9): Scheduling orders: Following the conference, the judge shall enter a scheduling order that will govern the pretrial phase of the case. Unless the judge determines otherwise, the scheduling order shall include specific deadlines or general time frameworks for:

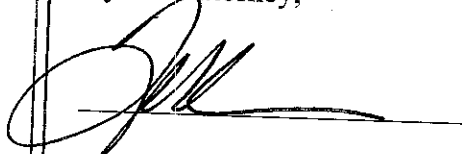
...(9) a final pretrial conference

Summary of Discovery Events and Dates

All initial paper discovery (interrogatories, requests for Production of documents and requests for admissions filed by:	August 1, 2004
All interrogatories answered, requests for production and Requests for admissions responded to by:	September 30, 2004
Plaintiff to designate its experts and file reports by:	November 15, 2004
Defendant to designate its experts and file reports by:	December 15, 2004
All Depositions of non-medical, non-experts to by:	December 31, 2004
All Deposition of medical witnesses and experts by:	January 5, 2005
All motions to Amend pleadings filed by:	January 15, 2005
Dispositive motions, including summary judgment, filed by:	April 30, 2005
Response to Motion for Summary Judgment by:	May 14, 2005

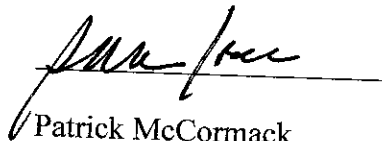
Dated: June 15, 2004

THE PLAINTIFF
By His Attorney,



Frank C. Corso
Law Office of Frank C. Corso
15 Court Square, Suite 240
Boston, MA 02106
(617) 227-0011
BBO# 545552

THE DEFENDANT
By its Attorney,



Patrick McCormack
Law Office of Jacqueline L. Allen
262 Washington Street, Suite 601
Boston, MA 02108
(617) 878-4614
BBO# 546194

Law Office of
Frank C. Corso
15 Court Square
Boston, MA 02108
(617) 227 - 0011
(617) 723 - 2032